

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| -----X | |
| JOZEF GARAN, | : |
| | : |
| Plaintiff, | : |
| | : |
| - against - | : 24-CV-6964 (VSB) (KHP) |
| | : |
| 32BJ NORTH PENSION FUND, | : |
| | : |
| Defendant. | : |
| | : |
| -----X | |

ORDER

VERNON S. BRODERICK, United States District Judge:

On September 16, 2024, Defendant 32BJ North Pension Fund removed this case from the Supreme Court of the State of New York (“State Court”) to the United States District Court for the Southern District of New York. (Doc. 1.) On September 25, 2024, I referred this case to Magistrate Judge Katherine H. Parker. (Doc. 6.) On September 30, 2024, Plaintiff Jozef Garan moved to remand this action to State Court. (Doc. 9.)

On November 7, 2024, Magistrate Judge Parker issued a Report and Recommendation recommending that Plaintiff’s motion to remand be denied. (Doc. 17.) Neither party filed any objections to the Report and Recommendation.

A district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). “To accept the report and recommendation of a magistrate, to which no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record.” *Nelson v. Smith*, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985).

Although the Report and Recommendation explicitly provided that “Plaintiff shall have seventeen days and Defendants shall have fourteen days from service of this Report and Recommendation to file written objections pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b) of the Federal Rules of Civil Procedure” and “[t]he failure to file these timely objections will result in a waiver of those objections for purposes of appeal,” (Doc. 17 at 4), neither party filed an objection or requested additional time to do so. I have reviewed Magistrate Judge Parker’s well-reasoned Report and Recommendation for clear error and, after careful review, find none. I therefore ADOPT the Report and Recommendation in its entirety.

Plaintiff’s motion to remand is hereby DENIED. The Clerk of Court is respectfully directed to mail a copy of this Order to Plaintiff.

SO ORDERED.

Dated: January 2, 2025
New York, New York



Vernon S. Broderick
United States District Judge